

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ANDREW WRIGHT,

V.

PAT GLEBE,

**Petitioner**

## Respondent.

No. C09-5772 RBL/KLS

## ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed the petition for writ of habeas corpus, the response, the

Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation [Dkt. #13], and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
  - (2) Defendant's motion to dismiss (Dkt. 9) is **GRANTED** and Petitioner's writ of habeas corpus (Dkt. 1) is **DISMISSED WITH PREJUDICE** as time-barred based on **28 U.S.C. § 2244(d)**;
  - (3) The Court declines to issue a certificate of appealability; and
  - (4) The Clerk is directed to send copies of this Order to Petitioner, counsel for Respondent and to the Hon. Karen L. Strombom.

DATED this 28<sup>th</sup> day of May, 2010.

Ronald B. Lightner

RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE